

Exhibit B

1 VOL: II
2 PAGES: 202-397
3 EXHIBITS: 8-12
4
5 UNITED STATES DISTRICT COURT
6 FOR THE DISTRICT OF MASSACHUSETTS
7 *****
8 SHEILA J. PORTER, *
9 Plaintiff *
10 -vs- * Civil Action
11 ANDREA CABRAL; SUFFOLK COUNTY * No. 04-11935-DPW
12 SHERIFF'S DEPARTMENT; SUFFOLK *
13 COUNTY and CORRECTIONAL MEDICAL *
14 SERVICES, INC., *
15 Defendants *
16 *****
17
18 CONFIDENTIAL PURSUANT TO THE PROTECTIVE ORDER
19
20
21 CONTINUED DEPOSITION OF ANDREA CABRAL, ESQUIRE,
22 a witness called on behalf of the Plaintiff, in the
23 above-captioned matter, said deposition being
24 taken pursuant to the Federal Rules of
Civil Procedure, before Patricia M.
McLaughlin, a Certified Shorthand Reporter and
Notary Public in and for the Commonwealth of
Massachusetts, at the offices of Goodwin Procter
LLP, Exchange Place, Boston, Massachusetts, on
Friday, June 24, 2005, commencing at 10:10 a.m.

McLAUGHLIN & ASSOCIATES COURT REPORTERS
92 DEVIR STREET, SUITE 304
MALDEN, MASSACHUSETTS 02148
781.321.8922
WWW.E-STENOGRAPHER.COM

3
1 ALSO PRESENT:
2 SHEILA PORTER
3 JAMES SWEET, GOODWIN PROCTER LLP
4 DENNIS D'ANGELO, GOODWIN PROCTER LLP
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

2
1 APPEARANCES:
2 JOSEPH F. SAVAGE, JR., ESQUIRE
3 and
4 DAVID S. SCHUMACHER, ESQUIRE
5 GOODWIN PROCTER LLP
6 Exchange Place
7 Boston, Massachusetts 02109
8 On behalf of the Plaintiff
9 ELLEN CAULO, ESQUIRE
10 GENERAL COUNSEL
11 Suffolk County Sheriff's Department
12 200 Nashua Street
13 Boston, Massachusetts 02114
14 On behalf of the Defendants,
15 Andrea Cabral, Suffolk County
16 Sheriff's Department and Suffolk
17 County
18 ALEXANDRA B. HARVEY, ESQUIRE
19 ADLER, COHEN, HARVEY, WAKEMAN & GUEKGUEZIAN
20 230 Congress Street
21 Boston, Massachusetts 02110
22 On behalf of the Defendant,
23 Correctional Medical Services, Inc.
24

4
1 INDEX
2 WITNESS DIRECT CROSS REDIRECT RECROSS
3 ANDREA CABRAL, ESQUIRE
4 By Mr. Savage 207
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

53

1 Q In your capacity as Sheriff of Suffolk
2 County. Does that mean he represents you in
3 the context of a Grand Jury investigation of
4 your conduct?
5 A To the extent that the Grand Jury
6 investigation involves my acting in my
7 capacity as Sheriff and exercising my
8 authority as Sheriff, making a decision in my
9 role as Sheriff, yes.
10 Q To be sort of just very narrow about it, to
11 the extent there is a Grand Jury
12 investigation about any of your conduct that
13 may relate to Sheila Porter, Walter Prince
14 represents you in that regard?
15 MS. CAULO: Objection. Asked and
16 answered.
17 A I'm not sure I understand your question.
18 Q I'm just trying to figure out the
19 significance of the distinction that you're
20 making that he represents you in your
21 capacity as Sheriff of Suffolk County, given
22 that my understanding of a criminal
23 investigation would be that a human being is
24 either charged or not charged as opposed to

54

1 an office being charged or not charged.
2 A Right. I understand the point that you're
3 making. My position --
4 MS. CAULO: Is there a question?
5 THE WITNESS: What is the question?
6 Q I'm not sure I know. I'm trying to find out
7 what you're trying to convey to me with the
8 distinction that he is representing you in
9 your capacity as Sheriff of Suffolk County.
10 MS. CAULO: Objection as to the entire
11 relevance of this line of questioning.
12 MR. SAVAGE: That's okay.
13 A Well, I certainly didn't have the authority
14 to bar Sheila Porter from the institution as
15 a private citizen. I only had that in my
16 capacity as the Sheriff of Suffolk County.
17 Q Are you aware of Walter Prince making various
18 communications on your behalf and on behalf
19 of the Sheriff's Department to the United
20 States Attorney's Office?
21 MS. CAULO: Objection.
22 A I think that's privileged. What I'm aware of
23 would come from my conversations with him.
24 Q Have you reviewed any correspondence that

55

1 went from Mr. Prince on your behalf to the
2 United States Attorney's Office?
3 MS. CAULO: Objection to the extent that
4 it requires the Sheriff to comment on matters
5 that are protected by the attorney-client
6 privilege.
7 Q I'm being specific in the sense that they are
8 documents that were produced to us, so they
9 are obviously not privileged. I want to
10 limit my question to those.
11 A I'm aware that he's communicated with the
12 U.S. Attorney's Office.
13 Q Have you read those communications?
14 A I'm sure I have.
15 Q Did you read them at the time they were made?
16 A At or near the time that they were made.
17 Q Those were made by Mr. Prince in his capacity
18 of representing you and the Suffolk County
19 Sheriff's Department?
20 A They were made by Attorney Prince in the
21 capacity that I previously described.
22 Q Continuing on in your memorandum, you
23 indicated that, "Sullivan stated that it" --
24 I believe that's referring to the

56

1 investigation, but correct me if I'm wrong.
2 A Where are you?
3 Q The first full paragraph on the third page of
4 your memorandum, the last sentence before the
5 parenthetical sentence.
6 A Okay.
7 Q "Sullivan stated that it had nothing to do
8 with anything except the FBI's desire to
9 protect Sheila Porter"?
10 A I'm sorry. I'm not on the same --
11 Q Bates stamped 1052.
12 A I thought you meant the parenthetical
13 paragraph.
14 Q No.
15 A I got it.
16 Q "Sullivan stated," did I read that correctly?
17 A Yes.
18 Q And the "it" is referring to the
19 investigation?
20 A Yes.
21 Q Is it your testimony that the United States
22 Attorney told you that the investigation had
23 nothing to do with anything, except the FBI's
24 desire to protect Miss Porter?